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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
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Cheol-ju YANG et al.	:	Art Unit: 3653
	:	
Serial No.: 10/669,703	:	Examiner: Thomas A. Morrison
	:	
Filed: September 25, 2003	:	
	:	
For: METHOD AND APPARATUS FOR	:	
CONTROLLING PAPER PICKUP IN	:	
IMAGE FORMING SYSTEM	:	

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the March 30, 2005 office action. In the action, the application is restricted to Group I, including claims 8-12, Group II, including claims 1-5, and Group III, including claims 6-7. In response, Applicants provisionally elect the Group II claims, including claims 1-5, with traverse.

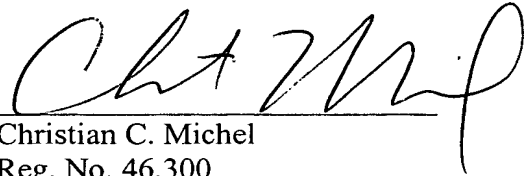
The office action suggests that the Group I claims have separate utility from the Group II claims since the Group I claims relate to an image forming system and an apparatus for controlling paper pickup in an image forming system, while Group II, including claims 1-5, are drawn to a method for controlling paper pickup in an image forming system. The Examiner suggests that the Group I product claims are distinct from the Group II process claims because the process can allegedly be practiced with a materially different apparatus. Applicants understand the Examiner's argument to mean that the process of Group II could be performed by an apparatus not having a sensor to detect paper pickup, as recited in Group

I. However, in order to re-attempt paper pickup, an apparatus needs some means of determining whether paper pickup has been successfully performed. The Examiner has not suggested how an apparatus not having a paper feeding sensor would perform the process recited in the Group II claims. Thus, Applicants disagree that the Examiner has provided an example of a materially different apparatus for performing the process recited in the Group II claims.

The Examiner also argues that Group I is distinct from Group III because they are related as subcombinations usable together as a single combination. The Examiner suggests that Group III, drawn to a computer readable medium of instructions for controlling paper pickup in an image forming system, has separate utility such as storing any type of useful information (such as a spreadsheet) on a computer readable medium. Group I and Group III are related as process and computer readable medium of instructions for controlling an apparatus to perform the process. While the Group III claims are not specifically written to avoid reading on a memory device which *also* stores some other useful information, such as a spreadsheet, this is of course true of any computer readable medium. The Examiner has not suggested separate utility for the claimed sets of instructions. For this reason, Group I and Group III are not patentably distinct inventions and the restriction requirement should be withdrawn.

In view of the above, Applicants submit that the restriction is improper and should be withdrawn.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Cht Michel", written over a horizontal line.

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